

GEORGIA PESTANA
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 6/24/2021
Special Assistant Corporation Counsel
Cell: (917) 499-8632

June 23, 2021

VIA ECF

The Hon. Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

Re: *B.C. obo C.C. v. New York City Dep't of Educ.*, 21-cv-2840 (AJN)(GWG)

Dear Judge Nathan:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request an extension of Defendant's time to respond to the complaint, from June 25, 2021 to August 6, 2021. I also write to request that the August 6, 2021 initial conference be adjourned to September 1, 8 or 9, 2021. Plaintiff has not indicated if he consents to these requests. This is the second request for an extension of Defendant's time to answer and the first request for an adjournment of the initial conference. The first request for an extension of the time to answer was made on April 13, 2021 and granted by Your Honor on April 14, 2021. The requested extension would provide the parties with additional time to continue negotiating a settlement. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that its time to respond to the complaint be extended to August 6, 2021 and that the initial conference be adjourned to September 1, 8 or 9, 2021.

Thank you for considering this request.

Respectfully submitted,

/s/

Martha Nimmer
Special Assistant Corporation Counsel

cc: Kevin Mendillo, Esq. (via ECF)

Pursuant to Rule 1.D of the Court's Individual Practices in Civil Cases, requests for adjournments and extensions of time must state whether the moving party's adversary consents and, if not, the reasons given by the adversary for refusing to consent. The Defendant should renew this request after conferring with opposing counsel or explain why it is infeasible to do so. SO ORDERED.

